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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/034,203	12/20/2001	Mark A. Matko	28679/04047	7758

7590 04/09/2004

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EXAMINER

LAO, LUN YI

ART UNIT	PAPER NUMBER
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2673

11

DATE MAILED: 04/09/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/034,203

Applicant(s)

MATKO ET AL

Examiner

Lao Y Lun

Art Unit

2673

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 9 & 10
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 10 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Rosen(6,115,086).

As to claims 10 and 20, Rosen teaches a mounting assembly for securing a night vision display in a vehicle compartment comprising a night vision display unit(30) and a friction hinge(34) that dampens movement of the display unit(30)(see figures 1-4; column 3, lines 15-68 and column 4, lines 1-13).

3. Claims 10 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Mola(6,125,030).

As to claims 10 and 20, Mola teaches mounting assembly for securing a night vision display(20) in a vehicle compartment comprising a night vision display unit(14) and a friction hinge(30, 32, 42, 44) that dampens movement of the display unit(50)(see figures 1-4, 6; abstract and column 2, lines 4-46).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 5, 6, 9-10 and 15-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corn(5,651,605) in view of Mola et al(6,125,030).

As to claims 1-2, 5-6, 9-10 and 15 -16, Corn teaches a mounting assembly for a night vision unit(10) in a vehicle compartment, the mounting assembly comprising: a visor (144) pivotally mounted in the associated vehicle compartment position adjacent an upper region of an associated windshield(142), the visor(144) movable between a storage position and a use position; a unit(32) pivotally mounted in the associated vehicle compartment position adjacent an upper region of an associated windshield(142), the unit(32) movable between a storage position and a deployed position; and a first catch(50, 52) for securing the unit(32) in a storage position(see figures 1-3, 7; column 3, lines 17-68 and column 5, lines 51-57).

Corn teaches a unit(32) pivotally mounted in the associated vehicle compartment(see figure 7). Corn fails to disclose a unit is a display unit.

Mola et al teach a display(20) pivotally mounted on a vehicle compartment(see figures 1-4; abstract and column 2, lines 3-46). It would have been obvious to have modified Corn with the teaching of Mola et al, so as to provide a navigation display system to a driver(see column 1, lines 30-35).

As to claim 2, Corn teaches a second catch(60, 62)(see figures 1, 7-8; column 4, lines 1-15 and column 6, lines 1-21).

As to claim 5, Corn teach the visor(144) having a hinge along one edge disposed adjacent the windshield(142)(see figure 7 and column 5, lines 51-65).

As to claim 6, Corn as modified by Mola teach a display unit(32) having a hinge(34) along one edge disposed in spaced relation from the windshield(142)(see figures 1-3, 7; column 3, lines 17-40 and column 5, lines 51-65).

As to claim 15, Corn as modified by Mola teach a visor(144) pivotally mounted in the vehicle compartment, the display unit(32) adapted to overlay the visor(144) when both the visor(144) and the display unit(32) are in the stored position(horizontal position)(see figures 1, 7).

As to claim 16, Corn as modified teach the hinge of the visor(144) are opposite to the hinge(34) of the display unit(32)(see figures 1 and 7).

6. Claims 1-2, 5-6, 9-10 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tawaraya(4,979,079) in view of Mola et al(6,125,030).

As to claims 1-2, 5-6, 9-10 and 15-17, Tawaraya teaches a mounting assembly for a night vision unit(1) in a vehicle compartment, the mounting assembly comprising: a

visor (10) pivotally mounted in the associated vehicle compartment position adjacent an upper region of an associated windshield, the visor movable between a storage position and a use position; a unit(30) pivotally mounted in the associated vehicle compartment position adjacent an upper region of an associated windshield, the unit(30) movable between a storage position and a deployed position; and a first catch(10A) for securing at least one of the unit(30) and visor(10) in their respective storage positions(see figures 1-2; column 2, lines 28-68 and column 4, lines 4-7).

Tawaraya teaches a unit(40) pivotally mounted in the associated vehicle compartment(see figures 1-2). Tawaraya et al fail to disclose a unit is a display unit.

Mola et al teach a display(20) pivotally mounted on a vehicle compartment(see figures 1-4; abstract and column 2, lines 3-46). It would have been obvious to have modified Corn with the teaching of Mola et al, so as to provide a navigation display system to a driver(see column 1, lines 30-35).

As to claim 2, Tawaraya teaches a second catch(10A)(see figure 1; column 3, lines 57-68 and column 4, lines 1-24).

As to claim 5, Tawaraya teaches the visor(10) having a hinge along one edge disposed adjacent the windshield(see figure 1 and column 2, lines 28-40).

As to claim 6, Tawaraya as modified by Mola et al teach a display unit(30) having a hinge(32) along one edge disposed in spaced relation from the windshield(see figures 1 and column 2, lines 28-63).

As to claims 15 and 17, Tawaraya as modified by Mola et al teach a visor(10) pivotally mounted in the vehicle compartment, the display unit(30) adapted to overlay the visor(10) when both the visor(10) and the display unit(30) are in the stored position(horizontal position) and a catch assembly having a first component on the display unit(30) and a second component(10A) on the visor(10)(see Tawaraya's figure 1 and column 3, lines 4-22).

As to claim 16, Tawaraya as modified teach the hinge(11) of the visor(10) are opposite to the hinge(32) of the display unit(30)(see figure 1).

7. Claims 3, 4, 7-8, 11-14 and 17-19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Corn in view of Mola et al and Yang(5,044,685).

As to claims 3-4, 7-8, 11-14, 17-19 and 21, Yang teaches a magnet as a catch and a sticker(26) for mounting a visor(10) to a plate(42) (see figure 8 and column 4, lines 53-68). It would have been obvious to have modified Corn as modified with the teaching of Yang, so a display unit(32) would be more securely to maintain in a horizontal position(see Corn's figures 1, 7 and Yang's figure 8).

As to claims 4, 19 and 21, Yang teach a hook-and-loop fastener(44) could be replaced by magnets and striker for mounting a plate(42) on a vehicle compartment(see figure 8 and column 4, lines 59-68). It would have been obvious to have a striker mounted on Corn's vehicle compartment for securing a display unit(32), so as to simplify the mounting structure.

8. Claims 11-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rosen or Mola in view of Yang(5,044,685).

Rosen or Mola fails to disclose a magnet as a catch and a sticker for mounting a display in a storage position(horizontal position).

Yang teach a hook-and-loop fastener(44) could be replaced by a magnet and a striker for mounting a plate(42) on a vehicle compartment(see figure 8 and column 4, lines 59-68). It would have been obvious to have modified Rosen or Mola with the teaching of Yang, so as to simplify the attachment structure.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Chang(6,409,242) teach a video display mounted on a vehicle roof.

Finneman(6,364,390) teaches a display mounted on the ceiling portion of a vehicle.

Fitzpatrick et al(5,975,708) teach a mirror attached to a sun visor.

Hermansson et al(5,174,644) teaches an illuminating unit(5) mounted in the ceiling directly behind the sun visor(4).

Portman(5,096,271) teaches a display unit mounted on the ceiling of an airplane.

Ogata(6,256,078) teaches a display(7) mounted on the ceiling portion of a vehicle.

Cook et al(US 2001/0048404A1) teaches a display mounted on the ceiling portion of a vehicle.

Rosen et al(D446,507) teaches a ceiling mounted display.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lun-yi, Lao whose telephone number is (703) 305-4873.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala, can be reached at (703) 305-4938.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231


or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

April 2, 2004


Lun-yi Lao
Primary Examiner